

MEMORANDUM ENDORSED

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Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

March 19, 2020

VIA ECF

Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Cynthia Jordan,
19 Cr. 478 (GHW)**

Dear Judge Woods:

On February 4, 2020, the Court sentenced Ms. Jordan to a term of imprisonment of one year and one day plus a term of supervised release of three years. The Court granted her request to surrender for service of that sentence on May 4, 2020. For the following reasons, I write to respectfully request an extension of this surrender date.

As the Court is aware, Ms. Jordan has a variety of serious medical conditions, including but not limited to a compromised immune system and chronic obstructive pulmonary disease (COPD), that place her at a substantially higher risk for severe illness should she contract COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>. According to public health experts, incarcerated individuals “are at special risk of infection, given their living situations,” and “may also be less able to participate in proactive measures to keep themselves safe;” “infection control is challenging in these settings.”¹ Outbreaks of the flu regularly occur in jails, and during the H1N1 epidemic in 2009, many jails and prisons dealt with high numbers of cases.² The magnitude of the current public health crisis grows daily and exponentially and an outbreak of COVID-19 in federal prisons is inevitable.³ At

¹ “Achieving A Fair And Effective COVID-19 Response: An Open Letter to Vice-President Mike Pence, and Other Federal, State, and Local Leaders from Public Health and Legal Experts in the United States,” (March 2, 2020), at <https://bit.ly/2W9V6oS>.

² *Prisons and Jails are Vulnerable to COVID-19 Outbreaks*, The Verge (Mar. 7, 2020) at <https://bit.ly/2TNcNZY>.

³ See Claudia Lauer & Coleen Long, *US Prisons, Jails on Alert for Spread of Coronavirus*, Associated Press (Mar. 7, 2020)

a recent press conference, Governor Andrew Cuomo warned that the number of coronavirus cases in New York state might not peak for another 45 days, which corresponds with Ms. Jordan's current surrender date. See <https://thehill.com/policy/healthcare/487992-cuomo-coronavirus-peak-could-be-in-45-days>. Ms. Jordan is, understandably, fearful of contracting COVID-19 and of the potentially deadly consequences for her.

In addition to the primary and grave concern for Ms. Jordan's health in light of the extremely dangerous nature of the COVID-19 pandemic, a postponement of the surrender date is requested because Ms. Jordan's husband's cancer surgery, that had been scheduled for March 17, 2020, was postponed for 60 days in light of the public health crisis. Ideally, Ms. Jordan would like to be by her husband's side when he undergoes surgery. At the time of sentencing, the Court granted a 90-day surrender date with that concern in mind.

For the foregoing reasons, I respectfully request an extension of Ms. Jordan's surrender date of at least 90 days.

Respectfully submitted,

/s/ Amy Gallicchio

Amy Gallicchio, Esq.
Assistant Federal Defender
(212) 417-8728

CC: AUSA David Raymond Lewis

Application granted. The deadline for Ms. Jordan to surrender herself is extended to August 4, 2020 for the reasons stated in this letter.

SO ORDERED
March 19, 2020



GREGORY H. WOODS
United States District Judge